

EXHIBIT A

From: Haft, David <David.Haft@lewisbrisbois.com>
Sent: Friday, April 28, 2023 8:41 AM
To: Michael Pascoe
Cc: Robert Port; Phoebe Wise; Alayna K. Bridgett; Platner, Michael; Weinstock, Jeffrey; Joyce, Ken
Subject: Re: [EXT] Grandis v. BGIS - Correction of Materially False Statement [IWOV-Cleveland.FID2117925]
Attachments: [EXTERNAL] Activity in Case 0:22-cv-61477-AHS Grandis et al v. BGIS Global Integrated Solutions US, LLC et al Motion for Extension of Time; BGIS Settlement Agreement Draft [IWOV-Cleveland.FID2174436]

Michael—

Respectfully, sounds like some Monday morning quarterbacking to me. If you have an issue with representations made to the court, please feel free to take them up with your partner and client. There's nothing more for us to discuss here. We will let the court decide.

Thank you.

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On Apr 27, 2023, at 5:14 PM, Michael Pascoe <mpascoe@hahnlaw.com> wrote:

David,

The reply you just filed [Dkt. No. 55] contains materially false statements. Specifically, you indicate that Docket Entry 48 confirmed the “form and substance” of the settlement Rob Port sent “*earlier* that same day,” [Reply at p. 2 (emphasis added)], and “the essential terms for settlement had been agreed to on March 16, 2023, *later that same day*, it was unequivocally represented to the Court in Joint Motion #2 that “[t]he Parties have reached an agreement on the material terms” [Id. at p. 5 (emphasis added)].

It is, perhaps, excusable because you were not copied on Rob's draft transmission on March 16, but, the 3/16 Draft (12:14 PM) came over two hours *after* you filed the joint motion for extension (9:58 AM). In other words, at the time you filed Docket Entry 48 at 9:58 AM, Rob had not yet emailed the 3/16 Draft, so there is no possible way that Docket Entry 48 could represent an acceptance of a draft agreement that Plaintiffs had not yet received—and wouldn't receive for another two hours. You've got the timeline exactly backwards.

I'm attaching both e-mails so you don't have to look for them. The docket entry has a time stamp of 9:58 a.m. and Rob's e-mail came at 12:14 p.m.

Please confirm, no later than noon tomorrow, that you will correct this false statement. If you do not, we will file a surreply, attach this e-mail, and correct the record. I truly hope that is not necessary.

Mike



Michael Pascoe | Partner

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From: Robert Port
Sent: Thursday, March 16, 2023 12:14 PM
To: Weinstock, Jeffrey
Cc: Michael Pascoe; _217856_00018_ Devin Grandis Opposing Counsel Communications
Subject: BGIS Settlement Agreement Draft [IWOV-Cleveland.FID2174436]
Attachments: BGIS-APT-Grandis - Bill of Sale_HLP.DOCX; BGIS - APT-Grandis - Settlement Agreement DRAFT_HLP.DOCX; BGIS-APT-Grandis-Settlement Agreement Draft_HLP CLEAN.pdf; Lease Amendment - 1500 Property LLC-BGIS_HLP.DOC

Jeff,

Attached are redlined version of the latest draft agreements. As discussed, the client is still reviewing, but wanted to get you a preliminary copy for your review and comment. I've also included a "clean" version of the draft settlement agreement.

HAHN LOESER
attorneys at law

Robert Port | Partner

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